

### REMARKS

Applicant elects with traverse Group IV (claims 48-72). This election is made with traverse as claims 1-47 may be efficiently searched with claims 48-72 and due to the amendments above. Please withdrawal the restriction requirement.

Regarding Groups I, II, II and their relation with each other, the suture delivery system is a part of the surgical suturing device. Whether it is an attachable modular unit or an integrated part of the suturing device, it functions together. The claims have been amended in the light of the comments of the examiner. As amended, these claims should be included in the elected group IV.

Regarding Group IV and its relation with the other groups, the fourth group of claims describe the process of "tying a surgical suture" using a suturing device. The term "tying a surgical suture" is easily confused with the term "tying a knot". It is assumed that this confusion caused a misunderstanding leading to the restriction. In fact they have different meanings at least in the current application. "Tying a surgical suture" comprises the processes of passing a portion of the suture through at least one tissue and tying a knot to secure the suture. That is, "tying a surgical suture" and "applying a suture to close an incision" are not different processes. Although it is clear from the contents of each independent Group IV claim that the described process comprises threading the suture through a tissue and tying a knot, to better clarify this issue, the related claims have been amended using the term "applying and tying a surgical suture" in stead of "tying a surgical suture". Any other materially different apparatus that can practice the process as claimed has not been described so far, and, the

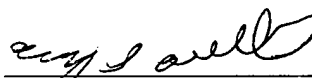
apparatus as claimed through amended claims can not be used to practice another and materially different process.

Applicant believes that the amended claims now describe claims that should be unified in one application. Please withdraw the restriction requirement.

The claims have been amended without prejudice to filing a divisional or continuation application with these claims as originally filed.

Applicant respectfully submits that all of the pending claims are in condition for allowance and seeks early allowance thereof. If for any reason, the Examiner is unable to allow the application in the next Office Action and believes that an interview would be helpful to resolve any remaining issues, he is respectfully requested to contact the undersigned attorneys at (312) 321-4200.

Respectfully submitted,



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Dated: June 30, 2003